Notices of Rulemaking and Proposed Rules

NEW MEXICO BOARD OF ACUPUNCTURE AND ORIENTAL MEDICINE

AQD EXHIBIT 26 PENGAD 800-631-6989

LEGAL RING

The Bo riental Medicin ng on Friday, C earing will begin at 9:00 a.m. and will be held at the Regulation and Licensing Department, Toney Anaya Building located at the West Capitol Complex, 2550 Cerrillos Road in Santa Fe, New Mexico in the Rio Grande Conference Room.

The purpose of the rule hearing is to allow all interested persons reasonable opportunity to submit data, views or arguments orally or in writing and to examine witnesses testifying at the hearing.

The Board of Acupuncture and Oriental Medicine is proposing to adopt, amend or repeal the following Board Rules in 16.2.1 NMAC -General Provisions; 16.2.2 NMAC – Scope of Practice; 16.2.9 NMAC – Continuing Education; 16.2.10 NMAC – Fees; 16.2.20 NMAC – Expanded Practice Formulary.

Copies of the proposed rules are available after August 20, 2010 at the Board office in the Toney Anaya Building located at the West Capitol Complex, 2550 Cerrillos Road in Santa Fe, New Mexico 87504, or by calling (505) 476-4630 or via the internet at: www.rld.state.nm.us/acupuncture/index.html.

Interested persons may submit written comments regarding the proposed rules no later than 5:00 p.m., September 24, 2010, to Anita Villegas, Board Administrator, Board of Acupuncture and Oriental Medicine, 2550 Cerrillos Road, Santa Fe, NM 87504.

Persons wishing to present written comments at the hearing are asked to bring (10) copies for distribution to the Board and staff.

All written and oral testimony will be considered prior to adoption of the final rules.

If you have questions, or if you are an individual with a disability who wishes to attend the hearing or meeting, but you need a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to participate, please call the Board office at (505) 476-4630 at least two weeks prior to the meeting or as soon as possible.

ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD

ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD
NOTICE OF HEARING AND REGULAR MEETING

On October 13, 2010, at 5:30 pm, the Albuquerque-Bernalillo County Air Quality Control Board (Air Board) will hold a public hearing in the Vincent E. Griego Chambers located in the basement level of the Albuquerque-Bernalillo County Government Center, 400 Marquette Avenue NW, Albuquerque, NM.

The hearing will address: Proposal to amend 20.11.3 NMAC, *Transportation Conformity*, and to incorporate an amended 20.11.3 NMAC into the New Mexico State Implementation Plan (SIP) for air quality. The Air Quality Division (AQD) of the City of Albuquerque Environmental Health Department is proposing these amendments in response to the promulgation by the U.S. Environmental Protection Agency (EPA) of an amended federal transportation conformity rule.

On March 24, 2010, the EPA promulgated changes to the transportation conformity rule which would affect $PM_{2.5}$ and PM_{10} nonattainment and maintenance areas. This rule became effective on April 23, 2010 [FR Vol. 75, No. 56, 14260-14285]. In response, and as required by EPA, the AQD is proposing amendments to update the local conformity regulation.

Transportation conformity is a Clean Air Act (CAA) requirement that ensures that federally-funded highway and transit projects "conform to" the purpose of the SIP. Conformity ensures that public health is protected by requiring early consideration of the air-quality impacts of transportation decisions in places where air quality does not currently meet national standards or has not met them in the past.

EPA's updated rule:

* Provides guidance on implementation of transportation conformity under the 2006 $PM_{2.5}$ national ambient air quality standards (NAAQS) to ensure that transportation planning and air quality planning are coordinated and that air quality is protected. Conformity will apply in 2006 $PM_{2.5}$ nonattainment areas for this NAAQS on December 14, 2010, based on the one-year grace period for newly designated areas in the CAA and the transportation conformity rule;
* Includes the requirements for demonstrating conformity for the 2006 $PM_{2.5}$ NAAQS, including the regional emissions test(s) that would apply before and after SIP motor vehicle emissions budgets are established for the revised NAAQS;
* Updates the baseline year for the interim emissions test to calendar year 2008 in 2006 $PM_{2.5}$ nonattainment areas;
* Clarifies which budgets PM_{10} nonattainment and maintenance areas would use for transportation conformity determinations, now that the annual PM_{10} standard has been revoked;
* Clarifies that federally funded or approved highway and transit projects in $PM_{2.5}$, PM_{10} and CO nonattainment and maintenance areas must not delay timely attainment or achievement of other interim milestones;
* Improves the health and environmental benefits of the existing transportation conformity program by requiring new $PM_{2.5}$ nonattainment areas and existing PM_{10} nonattainment and maintenance areas to use conformity tests that ensure that air quality is protected in areas that need to attain or maintain federal air quality standards; and
* Clarifies that hot-spot analyses are performed in a manner consistent with the CAA public health and environmental requirements.

Following the hearing, the Air Board will hold its regular monthly meeting during which the Air Board is expected to consider adopting the proposed amendments to 20.11.3 NMAC, *Transportation Conformity*, and incorporating the amended regulation into the SIP.

The Air Board is the federally delegated air quality authority for Albuquerque and Bernalillo County. Local delegation authorizes the Air Board to administer and enforce the CAA and the New Mexico Air Quality Control Act, and to require local air pollution sources to comply with air quality standards and regulations.

Hearings and meetings of the Air Board are open to the public and all interested persons are encouraged to participate. All persons who wish to testify regarding the subject of the hearing may do so at the hearing and will be given a reasonable opportunity to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits and to examine witnesses

in accordance with the Joint Air Quality Control Board Ordinances, Section 9-5-1-6 ROA 1994 and Bernalillo County Ordinance 94-5, Section 6.

Anyone intending to present technical testimony is required by 20.11.82 NMAC, *Rulemaking Procedures - AQCB*, to submit a written Notice Of Intent (NOI) before 5:00 pm on September 28, 2010 to: Attn: October Hearing Record, Ms. Janice Wright, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or in person in Room 3023, 400 Marquette Avenue NW. The NOI shall identify the person's name, address and affiliation.

In addition, written comments to be incorporated into the public record should be received at the above P.O. Box, or Environmental Health Department office, before 5:00pm on October 6, 2010. The comments shall include the name and address of the individual or organization submitting the statement. Written comments may also be submitted electronically to jcwright@cabq.gov and shall include the required name and address information.

Interested persons may obtain a copy of the proposed regulation at the Environmental Health Department Office, or by contacting Ms. Janice Wright, Albuquerque Environmental Health Department, P.O. Box 1293, Albuquerque, NM 87103, or by phone 768-2601, or by e-mail at jcwright@cabq.gov , or by downloading a copy from the City of Albuquerque Air Quality Division website.

NOTICE FOR PERSON WITH DISABILITIES: If you have a disability and/or require special assistance please call (505) 768-2600 [Voice] and special assistance will be made available to you to review any public meeting documents, including agendas and minutes. TTY users call the New Mexico Relay at 1-800-659-8331 and special assistance will be made available to you to review any public meeting documents, including agendas and minutes

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD

NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD
NOTICE OF RULEMAKING HEARING

The New Mexico Environmental Improvement Board ("Board") will hold a public hearing commencing on November 8, 2010, and continuing until completed at the State Capitol Building, Room 321, 490 Old Santa Fe Trail, Santa Fe, NM 87501, for the purpose of hearing the matter in EIB No. 10-08 (R), the New Mexico Environment Department's ("NMED") proposal to adopt amendments to 20.2.70 NMAC (Operating Permits) and 20.2.74 NMAC (Permits - Prevention of Significant Deterioration (PSD)). The proposed amendments "tailor" the New Mexico air permitting program to reflect the designation of greenhouse gases as a "regulated air pollutant" under the Clean Air Act. Federal regulations require these changes to air permitting program rules to ensure that only the largest sources of greenhouse gas emissions in the state must obtain air permits for greenhouse gas emissions.

The proposed regulations may be reviewed during regular business hours at the NMED Air Quality Bureau office, 1301 Siler Road, Building B, Santa Fe, New Mexico, on NMED's web site at www.nmenv.state.nm.us, or by contacting Kerwin Singleton at (505) 476-4350 or Kerwin.Singleton@state.nm.us.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures – Environmental Improvement Board), the Environmental Improvement Act, Section 74-1-9, NMSA 1978, the Air Quality Control Act Section, 74-2-6, NMSA 1978, scheduling, procedural, and other orders entered by the Board or its Hearing Officer, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses.

Persons wishing to present technical testimony must file a written notice of intent including the following:
(1) identify the docket number, EIB No. 10-08 (R);
(2) identify the date of the hearing;
(3) identify the person for whom the witness(es) will testify;
(4) identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
(5) include the full written testimony of each technical witness;
(6) attach each exhibit to be offered at the hearing; and
(7) attach the text of any recommended modifications to the proposed regulation.

The Department shall submit its notice of intent to present technical testimony on August 31, 2010.

Any interested person shall submit a notice of intent to present technical testimony on October 8, 2010.

The Department shall submit their notice of intent to present rebuttal testimony on October 22, 2010.

Notices of intent must be received in the Board's Office no later than 5:00 p.m. on the date specified above. The Board's Office address is provided below:

Joyce Medina, Board Administrator
Office of the Environmental Improvement Board
Harold Runnels Building
1190 St. Francis Dr., Room N-2150 / 2153
Santa Fe, NM 87505
Phone: (505) 827-2425, Fax (505) 827-2836

Any person, including a member of the public, who wishes to present non-technical public comment, testimony, or exhibit, may do so without prior notification either in writing at any time before the conclusion of the hearing or in person at the hearing.

Persons having a disability and needing help in being a part of this hearing process should contact Judy Bentley by October 15, 2010 at the NMED, Personnel Services Bureau, P.O. Box 5469, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDY users may access her number via the New Mexico Relay Network at 1-800-659-8331.

The Board may make a decision on the proposed regulation at the conclusion of the hearing or may convene another meeting for that purpose.

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